(26)

HIGH COURT OF CHHATTISGARH AT BILASPUR

SINGLE BENCH: HON'BLE SHRI H.L. DATTU, C.J.

Writ Petition No.49 of 2005

Petitioner Smt. Vimla Devi Jha, W/o Briz Nandan Jha, aged about 55 years, presently posted and working as a Peon in Municipal Corporation Raipur, R/o Raipur (Chhattisgarh)

Versus

Respondents

1. State of Chhattisgarh through its Secretary, Department of Urban Development, D.K.S. Building, Mantralaya, Raipur (C.G.)
2. Municipal Corporation, Raipur Through its: Commissioner, Municipal Corporation, Raipur (Chhattisgarh)

Present: Shri V.R.Tiwari, counsel for the petitioner.
Shri A.S.Kachhawaha, G.A. for the State.

ORAL ORDER
(Passed on 16th March, 2007)

The petitioner was appointed on daily wages basis in the year 1981 and her services came to be regularized in the year 1999. After regularization of her services, the petitioner is of the view that she should be given all the service benefits from the date of her initial appointment till the date of regularization of her services.

(2) In my opinion, before approaching this Court for the aforesaid relief, the petitioner should have filed an appropriate representation before the respondents and if for any reason, the representation so filed by the petitioner is not considered by the respondents, then only cause of action would arise for consideration of this Court.

(3) In that view of the matter, I do not intend to entertain this writ petition. Accordingly, the writ petition is rejected. However, liberty is

reserved to the petitioner to make an appropriate representation before the competent authority for appropriate relief within two months' time from today. If such a representation is made by the petitioner before the competent authority within the time granted by this Court, the said authority shall consider the same in accordance with law after affording a proper opportunity of hearing to the parties, within a reasonable period. All the contentions raised by the parties are left open. Ordered accordingly.

Sd/-
Chief Justice